

# FAIRVIEW TOWNSHIP PLANNING COMMISSION

April 3, 2012

## CALL TO ORDER

Chairman Michael A. Powers called the meeting to order at 7:02 PM

## ROLL CALL

Present: Michael A. Powers, Chairman  
Michael E. Thompson, Vice-Chairman  
Anne K. Anderson, Member  
Stephen M. Waller, Fairview Township Codes Administration Officer

Absent: Seth B. Grebbien, Member  
Kevin V. Gorman, Member

## APPROVAL OF MINUTES

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the minutes of the March 6, 2012, Planning Commission meeting. Vote on the motion: All yes. The motion carried.

## DISCUSSION AND CORRESPONDENCE

Mr. Waller presented the final draft copy of the revised Zoning Ordinance to the Planning Commission. The May 1, 2012, Planning Commission meeting will be a scheduled public meeting. The Planning Commission is to review the final draft of the proposed Zoning Ordinance for its recommendation to the Board of Supervisors.

Mr. Waller stated that the Board of Supervisors has discussed the roadway cartway widening waiver for the Gilmore Subdivision along Willis Road. It is currently tabled at the Board of Supervisors level. Mr. Waller anticipates a decision at the next Board of Supervisors meeting.

Mr. Thompson advised the Planning Commission that he will act favorably on a subdivision plan for a roadway cartway modification requests, if the previous subdivision had received favorable modification requests.

## SKETCH PLANS

There being no Sketch Plans, Mr. Powers moved to Subdivision Plans.

## SUBDIVISION PLANS

### 1. Final Subdivision Plan for Harold E. Deardorff, Jr., - Pinetown Road – 4 Lots

Mr. Waller presented the plan to the Planning Commission.

Zoning Ordinance

1. The zoning data chart should include the specific data being proposed (density, lot sizes).

2. A note should be added to the plan indicating the non-conforming structure located on Lot No. 3 and its compliance with the regulations noted in Part 17 of the Zoning Ordinance.

Subdivision Ordinance:

3. The dated signature of the surveyor responsible for preparing the plan. SLDO 402.1.L
4. The plans do not have the certification and dedicatory statement signed by the owner. SLDO 402.1.M
5. The plan does not show the existing features adjacent to the proposed subdivision. SLDO 402.1.O (There are two areas where the wells located on Lots 3 & 4 have isolation distances that reach outside of their respective property lines, septic systems?)
6. Survey marker locations for all property line corners. SLDO 402.1.U
7. Proposed primary and secondary septic system areas are to be located on the plans. SLDO 402.1.Y & 610.1.D.(2) & (3)
8. PA DEP full Planning Module approval is required due to the fact the area is designated as being located in the "Diabase" geologic formation. SLDO 402.2.B and DEP Act 537 Plan condition No. 4.
9. The proposed lot coverage for each lot should be indicated on the plan. SLDO 405.3
10. Plans are required to have two concrete monuments. Only one is labeled. SLDO 611.3

General Comments:

11. The plan is a combination lot reconfiguration/ subdivision the plan should have both property owners listed (Harry Fox Jr).
12. Who is the owner of proposed Lot No. 2?
13. Note No. 4 on sheet 2 of 4 conflicts with the culvert that is shown crossing Pinetown Road in front of Lot No. 1.
14. Has PennDOT been consulted regarding the proposed waiver of improvements along Pinetown Road?
15. Site Data Note No. 4: Math error regarding density?
16. General Note No. 4: Will the owner of the new driveway on Lot 3 be required to provide for stormwater management? If so, provide design now with the Subdivision Plan.
17. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.

Modifications:

18. Driveway profile scale. SLDO 402.1.C

19. Cartway improvements along Pinetown Road. SLDO 602.2.C

Modification Requests

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from SLDO, Section 402.1.C, the driveway profile scale requirement. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to table the plan until PennDot responds to cartway improvement requirements. Vote on the motion, All yes

2. Final Subdivision Plan for Lots 1- B & 1-D, Michael & Debra Martin – Valley Road

Mr. Waller presented the plan to the Planning Commission.

Christopher Hoover, PE, Hoover Engineering Services, Inc., represented the plan.

Zoning Ordinance:

No comments.

Subdivision Ordinance:

1. The plan scale for the existing features and the original property description are not shown on the plan. SLDO 402.1.A
2. The plans do not have the signature and seal of the design professional certifying the accuracy of the plan and the survey. SLDO 402.1.L
3. The plans do not have the certification and dedicatory statement signed by the owner. SLDO 402.1.M
4. The plan does not show the existing features adjacent to the proposed subdivision. SLDO 402.1.O (adjacent lot septic system isolation distance note should be added)
5. ~~Plans do not show 2 foot contours as required by ordinance.~~ SLDO 402.1.R The Ordinance allows for five (5) intervals where the slope is 15% or greater.
6. Plan does not show a replacement septic area for Lot # 1-D. SLDO 402.1.Y
7. Plan does not label the septic areas on lot 1B as primary or replacement areas. SLDO 402.1.Y & 610.1.D.(2) & (3).
8. Submission of an approved DEP Planning Module has not been submitted. SLDO 402.2.B
9. A stormwater report has not been submitted for the plan. SLDO 403.2.
10. Roadway widening is not shown on the plans along the frontage of the proposed subdivision. SLDO 602.2

General Comments:

11. Has PennDOT been contacted regarding the roadway improvements modification?
12. Has Solicitor reviewed joint access agreement for gravel drive?
13. ~~The new PA One Call number is 811. Logo is shown on the plan.~~
14. Lot 1-B is 20 acres. Note on Roof Drain Seepage Pit indicates groundwater recharge is required for lots under 10 acres. Which is correct?
15. All plans have to comply with Resolution 2008-13, which indicates that all accounts with township must be current and not delinquent.

Modifications:

16. Plan scale for the existing features and the original property description. SLDO 402.1.A
17. Show existing features adjacent to the tract. SLDO - 402.1.O
18. Submittal of a stormwater management plan. SLDO 403.2.D
19. Cartway improvements along Valley Road. SLDO 602.2.C

Action on Modifications

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from SLDO, Section 402.1.A, the existing features and the original property description requirements. Vote on the motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend approval of the modification request from SLDO, Section 403.2.D, the stormwater management plan requirement. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from SLDO, Section 602.2.C, the cartway improvements along Valley Road, based on previous approvals. Vote on the motion. All yes. The motion carried.

Action on the Plan

Mr. Thompson a motion, seconded by Mrs. Anderson, to recommend approval of the plan to the Board of Supervisors contingent on the subdivision and general comments. Vote on the motion. All yes. The motion carried.

3. Preliminary Subdivision for Oak Hill – Oak Hill Road – Modification Requests

Mr. Waller presented the plan to the Planning Commission. Mr. Waller indicated that Robert J. Fisher, PE, RJ Fisher Associates, wanted guidance from the Planning Commission relating to the modification requests associated with the plan.

Zoning Ordinance:

No Comments

Subdivision Ordinance:

1. Street names need to be added to the location map. SLDO 402.1.B
2. The plans do not have the certification and dedicatory statement signed by the owner. SLDO 402.1.M
3. A Phasing plan has not been indicated in the plans set. The existing build out schedule should part of this plan. SLDO 402.1.N.1 & 2 (suggestion - map on 4 of 37)
4. Sight triangles and sight distances are required for Lot No. 1 and Lot No.2 along Oak Hill Drive. SLDO 402.1.S
5. Street lights are required to be placed along the properties frontage of Oak Hill Road. SLDO 402.1.T & 605.6
6. Plan does not indicate a well for Lot # 4. SLDO 402.1.X
7. Plan does not label the septic areas as primary or replacement areas. SLDO 402.1.Y & 610.1.D(2) & (3).
8. The previously submitted T.I.S. will need to be updated to reflect the new information on the plan. SLDO 402.1.BB
9. Submission of an approved NPDES/ York County Conservation plan is required. SLDO 402.2.A
10. Submission of an approved full DEP Planning Module is required due to the properties close proximity to high nitrates and the "Gettysburg" geologic formation. SLDO 402.2.B & DEP Act 537 approval condition No. 4.
11. Compliance with Recreation Area/Fees are required. SLDO 402.2.I & 613
12. An improvement guarantee estimate will be required prior to final plan approval. That estimate should include all portions of the approved SWM plan (rain gardens, retentions areas, etc) SLDO 501.1
13. Roadway widening is not shown along the frontage of the subdivision on the plans for the frontage of Oak Hill Drive. SLDO 602.2
14. Cul-de-sacs cannot branch off of cul-de-sacs (Willow Oak and Sawtooth Oak Drives) SLDO 602.4.B
15. The proposed curve radius on Scarlet Oak Drive should verify that the proposed radius does not go less that the required 150ft radius. (C42 & C84) SLDO 602.5
16. The slope directly adjacent to the right of way appears to exceed the allowable slope of 2/1 in front of lots No.'s 44 & 45. SLDO 602.9
17. The proposed driveways located on lots No. 9 & 15 are within the required 5 ft setback from a property line SLDO 606.4.G
18. If a hydrology study was submitted of the previous version of the development, a revised study should be submitted to reflect the current layout. SLDO 609.1.C
19. Storm water basin fencing is required to be a minimum of 6 ft high. SLDO 701.3.C.9

20. The proposed driveways located on Lots No.40 & 41 are located above storm water easements, which is not permitted by ordinance. The pipe structures below the driveways are at a relatively shallow depth. SLDO 701.3.F.4

21. A homeowners association is required to be responsible for the common storm water facilities within the development. HOA documents should be revised accordingly and submitted for Township Solicitor review. SLDO 701.7.A

General Comments:

22. There are several lots where the proposed septic systems will be located too close to the property line (10ft) OR to an easement (10ft) OR and watercourse (50ft) per DEP regulations. Lot No.'s 3, 7, 8, 11, 19, 21, 22, 29, 34,

23. Verification of the existing well and septic system on the Donald King property is required due to the close proximity of the proposed septic systems on Lots 1 & 2.

24. The proposed septic locations on lots No.'s 17 & 34 are located directly below discharge points of either a storm water pipe (No. 34) or emergency spillways (No. 17).

25. All plans have to comply with Resolution 2008-13, which indicates that all accounts with the township must be current and not delinquent.

Modifications:

26. Cartway improvements along Oak Hill Road. SLDO 602.1.G

27. Additional Cartway improvements along Oak Hill Road. SLDO 602.2.C

28. Cul-de-sacs intersecting other cul-de-sacs. SLDO 602.4.B

29. Storm water basin fencing construction. SLDO 701.3.C.9

30. That driveways be permitted in a drainage easement. SLDO 701.3.F.4

31. Eliminate removable steel bars and mounting hardware from headwalls and endwalls as required. SLDO 701.4.B.(1)(h)

Action on Modification Requests

Mr. Fisher showed the Planning Commission an assortment of photographs relating to the access to the proposed subdivision from Oak Hill Road, the vertical elevation changes of Oak Hill Road along the boundary of the proposed subdivision and the sight distances along Oak Hill Road for justification of the modification requests.

Mrs. Anderson made a motion, seconded by Mr. Thompson, to recommend denial of the modification request from Sections 602.1.G and 602.2.C, the cartway improvement requirements. Vote on motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification requests from Section 602.4.B, the cul-de-sacs intersecting other cul-de-sacs requirements contingent on not exceeding the lots for both cul-de-sacs. Vote on motion. All yes. The motion carried.

Mrs. Anderson made a motion, seconded by Mr. Thompson to recommend approval of the modification request from Section 701.3.C.9, the stormwater detention basin fencing requirement. The fence to be a minimum of four feet in height. Vote on the motion. All yes. The motion carried.

Two additional modification requests were presented to the Planning Commission.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend approval of the modification request from Section 701.3.F.4, the prohibition of improvements in the stormwater easements. If there would be a stormwater pipe under the driveway, and the Home Owner's Association would have to dig the pipe up, the HOA would have to replace the driveway. If the Township would have to dig the pipe up, the Township would not be responsible to replace the driveway. Vote on motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to recommend denial of the modification request for Section 701.4.B.(1)(h), the headwall and endwall protection requirements. Vote on the motion. All yes. The motion carried.

Mr. Thompson made a motion, seconded by Mrs. Anderson, to table the plan. Vote on the motion. All yes. The motion carried.

### **SITE/LAND LAND DEVELOPMENT PLANS**

There being no Site and Land Development Plans, Mr. Powers moved to Old Business

### **OLD BUSINESS**

There being no Old Business, Mr. Powers moved to New Business

### **NEW BUSINESS**

There being no New Business, Mr. Powers move to the Zoning Hearing Board

### **ZONING HEARING BOARD**

Case No. 2012-03: Lori Johnston, 700 Moores Mountain Road, Mechanicsburg, PA 17055. The Applicant is requesting a variance to the Fairview Township Zoning Ordinance, Section 1304.1, Fences and Walls. The Applicant wishes to erect a five (5) foot fence in the front yard, within the front yard building setback area. The property is owned by the Applicant and is located in the Residential Rural District.

Case No. 2012-04: John G. Ferencz and Michele M. Nicholas, 366 Futurity Drive, Camp Hill, PA 17011. The Applicants are requesting a variance pursuant to Fairview Township Zoning Ordinance, Section 505.4, Front Yard Setback in the Residential Single District. The Applicants wish to construct a porch addition to a single family dwelling at 366 Futurity Drive, Camp Hill, PA 17011, which will intrude into the 40 foot front yard setback. The property is owned by the Applicants and is in the Residential Single District.

### **ADJOURNMENT**

Mr. Thompson made a motion, seconded by Mrs. Anderson, to adjourn the meeting at 8:48 PM. Vote on the motion: All yes. The motion carried.